

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON**

NIKOLAI WEDEKIND, derivatively on
behalf of COSTCO WHOLESALE
CORPORATION,

Plaintiff,

v.

HAMILTON E. JAMES, SUSAN
DECKER, KENNETH D. DENMAN,
RICHARD A. GALANTI, W. CRAIG
JELINEK, RICHARD M. LIBENSON,
JOHN W. MEISENBACH, CHARLES T.
MUNGER, JEFFREY S. RAIKES, JOHN
W. STANTON, and MARY AGNES
WILDEROTTER,

Defendants,

and

COSTCO WHOLESALE
CORPORATION,

Nominal Defendant.

Civil Action No. 2:18-cv-01777

**STIPULATION STAYING ACTION
AND ORDER THEREON**

STIPULATION STAYING ACTION AND [PROPOSED] ORDER THEREON

WHEREAS, on December 11, 2018, Plaintiff Nikolai Wedekind (“Plaintiff”) filed the
above captioned shareholder derivative action (the “Action”) on behalf of Costco Wholesale
Corporation (“Costco” or the “Company”);

1 WHEREAS, the Action alleges claims of breaches of fiduciary and unjust enrichment
2 against current and former directors of Costco (collectively with Nominal Defendant Costco, the
3 “Defendants”);

4 WHEREAS, there exists two factually related federal securities class actions captioned
5 *Johnson v. Costco Wholesale Corporation*, et. al., Case No. 2:18-cv-01611-TSZ, and *Chen v.*
6 *Costco Wholesale Corporation, et al.*, Case No. 2:18:-cv-01779 (the “Securities Class Action”)
7 currently pending before this Court;

8 WHEREAS, the plaintiffs in the Securities Class Action have moved to consolidate the
9 *Johnson* and *Chen* actions and for the appointment of a lead plaintiff, noted on the Court’s
10 calendar for January 25, 2019;

11 WHEREAS, following consolidation and the appointment of a lead plaintiff, a
12 consolidated complaint will be filed or designated in the Securities Class Action, and the
13 defendants in the Securities Class Action intend to move to dismiss that complaint;

14 WHEREAS, the allegations in the Action arise from the same or substantially similar
15 facts, occurrences and transactions as those in the Securities Class Action; and

16 WHEREAS, the Parties believe that that the efficient prosecution of the Action will be
17 served by staying the Action pending a ruling on defendants’ motion to dismiss in the Securities
18 Class Action.

19 Now, therefore, the Parties hereto stipulate and the Court ORDERS as follows:

20 1. The Action is stayed against all Defendants until entry of an order resolving the
21 motion to dismiss in the related Securities Class Action.

22 2. The Parties agree that if a plaintiff in any related derivative lawsuit refuses to agree
23 to a stay under similar terms, Plaintiff may lift the agreed stay upon ten (10) days’ notice in
24 writing.

25 3. Within thirty (30) days of the termination of the stay, the parties shall meet and
26 confer concerning a schedule for further proceedings and, should an agreement be reached, the

parties will submit a joint proposed schedule for the Court within thirty (30) days of the termination of the stay.

IT IS SO STIPULATED

Dated: January 18, 2019

THE WEISER LAW FIRM, P.C.

s/ James M. Ficaro

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Counsel for Defendants

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Date: January 22, 2019.



RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE